

07/24/98
JESSI U.S. PTO

H
S
H
JC518 U.S. PTO
09/122427
07/24/98

CERTIFICATE OF EXPRESS MAILING

NUMBER EL018590634US

DATE OF DEPOSIT July 24, 1998

I hereby certify that this paper or fee is being deposited with the United States Postal Service "EXPRESS MAIL POST OFFICE TO ADDRESSEE" service under 37 C.F.R. 1.10 on the date indicated above and is addressed to: Assistant Commissioner for Patents, Washington, DC 20231.


Signature

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Atty. Dkt. No.: UTSC584/GOO

Prior Application Examiner:
Venkat, J.

BOX PATENT APPLICATION

Assistant Commissioner for Patents
Washington, D.C. 20231

Classification Designation:

Prior Group Art Unit: 1931

REQUEST FOR FILING CONTINUATION APPLICATION
UNDER 37 C.F.R. § 1.53(b)

This is a request for filing a continuation application under Rule 53(b) (37 C.F.R. § 1.53(b)) of co-pending prior application Serial No. 08/468,791 filed June 6, 1995, entitled "SUBMICRON LIPOSOME SUSPENSIONS OBTAINED FROM PRELIPOSOME LYOPHILIZATES."

1. Enclosed is a copy of the prior application Serial No. 08/468,791 as originally filed, including specification, claims, drawings, and declaration. The undersigned hereby verifies that the attached papers are a true copy of the prior application as originally filed and identified above, that no amendments (if any) referred to in

the declaration filed to complete the prior application introduced new matter therein, and further that this statement was made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statement may jeopardize the validity of the application or any patent issuing thereon.

(a) The inventorship is the same as prior Application Serial No. 08/468,791.

(b) Deletion of inventor(s). Signed statement attached deleting inventor(s) named in the prior application, see 37 C.F.R. § 1.63(d)(2) and 1.33(b).

2. Enclosed is a check in the amount of \$1,265.00 to cover the filing fee as calculated below and the fee for any new claims added in the Preliminary Amendment referred to in Clause No. 7 below.

CLAIMS AS FILED IN THE PRIOR APPLICATION
LESS CLAIMS CANCELED BELOW

FOR	NUMBER FILED	NUMBER EXTRA	RATE	FEE
Basic Fee -----				\$395.00
Total Claims	57 - 20 =	37 X	\$11.00 =	\$407.00
Independent Claims	11 - 3 =	8 X	\$41.00 =	\$328.00
Multiple Dependent Claim(s) -----				\$135.00
TOTAL FILING FEES:				\$1265.00

RIGHTS RESERVED

- 3. Applicant is entitled to Small Entity Status for this application.
 - (a) A small entity statement is enclosed.
 - (b) A small entity statement was filed in the prior nonprovisional application and such status is still proper and desired.
 - (c) Small entity status is no longer claimed.
- 4. If the check is missing or insufficient, the Assistant Commissioner is hereby authorized to charge any fees under 37 C.F.R. §§ 1.16 to 1.21 which may be required for any reason relating to this document, or credit any overpayment to Arnold, White & Durkee Deposit Account No. 01-2508/UTSC584.
- 5. Enclosed is a copy of the current Power of Attorney in the prior application.
- 6. Address all future communications to:

Kenneth D. Goodman
ARNOLD, WHITE & DURKEE
P. O. Box 4433
Houston, Texas 77210
(713) 787-1400
- 7. The prior application is presently assigned to Board of Regents, The University of Texas System.
- 8. Enclosed is a preliminary amendment. Any additional fees incurred by this amendment are included in the check at No. 2 above and said fee has been calculated after calculation of claims and after amendment of claims by the preliminary amendment.

9. Cancel in this application claims 30 and 31 of the prior application before calculating the filing fee. (At least one original independent claim must be retained).

10. Amend the specification by inserting before the first line the sentence: --This is a continuation of co-pending application Serial No. 08/468,791, filed June 6, 1995--

A1

11. Enclosed are formal drawings.

12. An Information Disclosure Statement (IDS) is enclosed.

(a) PTO-1449.

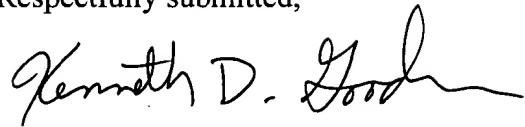
(b) Copies of IDS citations.

13. Transfer the sequence information, including the computer readable form previously submitted in the parent application, Serial No. filed , for use in this application. 37 C.F.R. § 1.821(e).

14. Other: _____.

15. Return Receipt Postcard (should be specifically itemized).

Respectfully submitted,



Kenneth D. Goodman
Reg. No. 30,460
Attorney for Applicant

ARNOLD, WHITE & DURKEE
P.O. Box 4433
Houston, Texas 77210-4433
(713) 787-1400

Date: 7/24/98